

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARQUIS RAMEY,

Plaintiff,

v.

DELAWARE CO. DISTRICT
ATTORNEY and DET. QUARTAPELLA
DARBY BORO. POLICE DEPT.,

Defendants.

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CIVIL ACTION NO. 20-4576

ORDER

AND NOW, this 5th day of February, 2021, after considering the complaint (Doc. No. 1), the application for leave to proceed *in forma pauperis* (Doc. No. 10), and the prisoner trust fund account statement (Doc. No. 11) filed by the *pro se* plaintiff, Marquis Ramey; and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The application for leave to proceed *in forma pauperis* (Doc. No. 10) is **GRANTED** and the plaintiff has leave to proceed *in forma pauperis*;

2. The plaintiff, Marquis Ramey, #MP-3121, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The court directs the Superintendent of SCI Benner or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Ramey's inmate account; or (b) the average monthly balance in Ramey's inmate account for the six-month period immediately preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this order to the court with a reference to the docket number for this case. In each succeeding month when the amount in Ramey's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward

payments to the Clerk of Court equaling 20% of the preceding month's income credited to Ramey's inmate account until the fees are paid. Each payment shall refer to the docket number for this case;

3. The Clerk of Court is directed to **SEND** a copy of this order to the Superintendent of SCI Benner;

4. The complaint (Doc. No. 1) is **DEEMED** filed;

5. The complaint (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE**; and

6. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.